

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

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TECHNICAL ADVISORY COMMITTEE (TAC)
JULY 1, 2005**

2535 Capitol Oaks Drive
Sacramento, CA 95833
3rd Floor Conference Room

1. CALL MEETING TO ORDER, ROLL CALL TO ESTABLISH QUORUM

The TAC meeting was held in the Conference Room of the BGG in Sacramento. It was called to order at 09:15 by the Chairperson, Tony Sawyer, who determined that a quorum was present. Present were TAC members Tony Sawyer, Chair; Roy Shlemon; Seena Hoose; Joe Mello; and Kris Vyberberg.

2. PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no formal comments by the public; but the TAC discussed the following:

A. The Executive Officer, Mr. Paul Sweeney, in response to TAC queries, provided information about continuance of the Board, about "sunset bills" and about related status of the Board.

B. Schedules: A discussion of TAC and Board schedules involved restatement of the general TAC purpose: "To respond to Board questions, to evaluate same, and to provide recommendations as appropriate." Additionally, to carry out these duties, the TAC needs to meet prior to Board meetings so that issues discussed can be conveyed to the Board. The TAC, by general consensus, recommends that their meeting be held approximately two weeks prior to that of the Board.

3. APPROVAL OF THE MINUTES FROM THE JANUARY 28, 2005 AND MAY 6, 2005 TAC MEETINGS

Minutes for TAC meetings of January 28 and May 6, 2005 were reviewed. Based on personal notes and recollections, some TAC members noted corrections, and these were made and approved.

4. REPORT ON BOARD MEETING OF MAY 20, 2005

Mr. Sweeney summarized the latest Board deliberations. These included the status of the "Focus Group" for the BGG licensing issues (Office of Examination Resources).

The TAC members then discussed academic requirements for geologic licensing. This was followed by a lengthy discussion and examples of potential conflicts of interest and how these might affect licensing. Also reviewed were various professional codes of conduct; e.g., County of San Diego, Delaware and other states relative to enforcement actions and ethics issues.

5. REVIEW OF SECTION 3065 CODE OF PROFESSIONAL STANDARDS FOR POSSIBLE MODIFICATION BY THE BOARD (Comparison of Geologists and Engineers License Documents)

As requested by the Board, the TAC reviewed the present Geology and most recent Engineering licensing requirements. Based on this analysis, the TAC recommended changes to the Geology Licensing wording; and Chairperson Tony Sawyer will present these to the BGG at their next meeting. Also, as requested by the BGG, the TAC discussed issues relating to ~\$500.00 fines; and procedures for appropriate notice.

6. OTHER TAC ASSIGNMENTS FROM THE BOARD:

Clarify duties of the engineering geologist with respect to slope stability: At TAC request, Counsel Gary Duke reviewed his recent letter indicating what activities that a CEG can carry out. It was also noted that qualified licensees are duly authorized to survey monitoring wells. Also, as assigned by the Board, the TAC discussed "Code of Professional Standards." This is an ongoing issue, and will be continually reviewed as necessary.

7. TECHNICAL ADVISORY COMMITTEE CHAIR'S REPORT AND ANNOUNCEMENTS

Report of the Enforcement Officer:

Mr. George Dunfield, BGG Enforcement Officer, identified various codes, sections and subsections, and led a discussion about the following:

- A. Experience requirements necessary to implement codes; what is the basis to define "experience."?
- B. Issues about "misrepresentation of data." The TAC then recommended adding the term "document" to this section.
- C. Section 3066, currently in effect, requires that all licensees have their numbers printed on their business cards and stationary, and on any web sites. TAC members noted that this is yet seldom done; but that, presumably, upon renewal of "paper stock," such license numbers would likely be printed thereon.

Additional TAC Discussion, Commentary and Reviews:

- A. The nature and potential impact of contingency fees on professional practice. Various examples were given about use of contingency fees in the profession. Although not practiced in many geologic subfields, other parts of

the profession routinely use contingency fees; examples were given from the mining and hydrocarbon-extraction industry. It was agreed that often case-by-case analyses are necessary.

- B. The TAC reviewed additional professional practice requirements; and restrictions for governmental employees as licensees.
- C. Similarly discussed was the issue of non-licensed professional (e.g., academics) rendering opinions at public meetings or forums. The TAC noted that it was necessary to focus on technical issues, rather than on individuals.

8. ADJOURNMENT

Chairperson Sawyer, upon motion and second, officially closed the meeting, ~13:00 hrs.

Tony Sawyer, Committee Chair

Paul Sweeney, Executive Officer

Date Approved: February 3, 2006